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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/854,582	05/11/2001	David Discema		8966
7590	01/13/2006			
David Discema 96 Buckingham Dr. Tom River, NJ 08753			EXAMINER ABDULSELAM, ABBAS I	
			ART UNIT 2677	PAPER NUMBER
DATE MAILED: 01/13/2006				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/854,582	Applicant(s) DISCEMA ET AL.	
	Examiner Abbas I. Abdulsalam	Art Unit 2677	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 April 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This office action is in response to a communication filed on 04/18/05. Claim 1 is pending. Amendment filed on 10/25/04 has been entered.

Claim Objections

2. The claims are objected to because the lines are crowded too closely together, making reading difficult. Substitute claims with lines one and one-half or double spaced on good quality paper are required. See 37 CFR 1.52(b). Furthermore, applicant needs to indicate that the previous claims 2-11 have been canceled. Applicant also needs to rewrite claim 1 in an acceptable format by underlining the added limitations in the claim.

Specification

3. The abstract of the disclosure is objected to because the abstract is not written on a separate page and it is not double-spaced. Correction is required. See MPEP § 608.01(b). In addition, the phrase "SEQUENCE LISTING" and "N/A" should be removed from an abstract page.
4. The spacing of the lines of the specification is such as to make reading difficult. New application papers with lines 1½ or double spaced on good quality paper are required.

Claim Rejections - 35 USC § 112

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

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Claim 1 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claim 1 the phrase "such as" renders the claim indefinite because it is unclear whether the limitations following the phrase are part of the claimed invention. See MPEP § 2173.05(d). Proper correction is needed.

Claim 1 contains phrases, "the equipment". It is unclear which equipment it refers to and the word "equipment" is not mentioned anywhere else in the claim. Proper correction is needed. Proper correction is needed.

Part of claim 1 states "A portable keyboard and mouse or laptop workstation comprising.....to accommodate a keyboard and mouse or laptop computer..." It is unclear what element(s) in the claim comprises what features. Proper correction is needed.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over Vulk (USPN 5892499).

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Vulk teaches as shown in FIG. 11 a computer keyboard 52 having left end 53 and right end 54, and illustrates as shown in FIG. 12 that the bottom-rear portion of the computer keyboard 52 has leg recesses 33, grab handles 32, and stomach recess 31. Vulk further teaches the side view of computer keyboard 52 as shown in FIG. 17 having base 67, front 94 and rear 93. Vulk also teaches a forearm support 2, which is adjacent to both raised rear edge 42 and convex declined surface 26 such that the convex declined surface 26 is intended to arrange keys 96 relative to the user's hands, and keys 96 may be actuated by a more natural grasping motion of the user's fingers and/or hands.

Vulk does not specifically teach “an interchangeable cushion that can be adjusted for the user specific optimum tilt and comfort by form fitting to the users lap”.

Vulk on the other hand teaches providing manually actuated ergonomic interfaces (E.I.'s) which have surfaces that are made from "soft" surfaces that provide cushioning to all parts of the user which may come into contact with the E.I., thus increasing the comfort level of the user over extended periods of use (see No.8- 9 under “Objects and Advantages”).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize Vulk' s manually actuated ergonomic interfaces with soft surfaces for the purpose of effecting cushioning suitable to a desired part of the body (see No. 9 under “Objects and Advantages”).

With respect to the size of a “wood tray” and the connection arrangement between “interchangeable cushion” and the back of “wood tray”, it is a matter of design choice and one of ordinary skill would have ascertained that the size and connection arrangement are available in a variety of ways.

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7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Abbas I. Abdulsalam whose telephone number is (571) 272-7685. The examiner can normally be reached on Monday through Friday from 9:00 A.M. to 5:30 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Amr Awad can be reached on (571) 272-7764. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Abbas Abdulsalam

Examiner

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December 23, 2005

AMR A. AWAD
PRIMARY EXAMINER
